

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

Claims 1-9 are pending. Claims 1-9 stand rejected.

Claims 1, 4, and 7 have been amended. No claims have been canceled. No claims have been added. Support for the amendments is found in the specification, the drawings, and in the claims as originally filed. Applicant submits that the amendments do not add new matter.

DOUBLE PATENTING

The Examiner stated that

Claims 1-3 of U.S. Patent No. 6,145,032 contains every element of claims 1-9 of the instant application and as such anticipates claims 1-9 of the instant application. Therefore, claims 1-9 of the instant application is not patentably distinct from the earlier patent claims and as such is unpatentable for obvious-type double patenting.

Applicants respectfully submit that the Examiner's double patenting rejection is improper.

MPEP states

Double patenting may exist between an issued patent and an application filed by the same inventive entity, or by an inventive entity having a common inventor with the patent, and/or by the owner of the patent.

(MPEP, 804 (I) A).

The instant application is neither filed by the same inventive entity, by an inventive entity having a common inventor, nor by the owner of the U.S. Patent No. 6,145,032.

Therefore, Applicants respectfully request withdrawal of the double patenting rejection.

REJECTIONS UNDER 35 U.S.C. § 102

Claims 1, 2, 4, 5, 7 and 8 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,145,032 of Bannister, et al. (“Bannister”).

Claim 1 as amended includes dispatching the broadcast transaction to a plurality of command queues if each of the plurality of the command queues is not full.

Bannister discloses a data recirculation apparatus that has input buffers and recirculation queue connected to a multiplexer. The multiplexer outputs data to output queue 80 (Figure 3, col. 4, lines 22-52). In particular, Bannister discloses

During each clock cycle, the data packet stored in the bottom entry of output queue 80 is available to be removed from output queue 80 and either sourced onto local interconnect 16, discarded, or stored in recirculation queue 72 in response to signals generated by decision point logic 82. As indicated, decision point logic 82 determines if the data packet in the bottom entry of output queue 80 should be removed and, if so, the destination of the data packet (i.e., local interconnect 16, discarded, or recirculation queue 72), in response to recirculation queue full signal 90, output queue empty signal 92, and address control logic signals 94 received from transaction send unit 42.

(Bannister, col. 4, lines 52-640 (emphasis added)

Thus, Bannister merely discloses sending the data packet to a local interconnect, to a recirculation queue, or discarding the data packet in response to a recirculation queue full signal, output queue empty signal, and address control logic signals, in contrast to dispatching the broadcast transaction to a plurality of command queues, as recited in amended claim 1.

Additionally, Bannister fails to disclose dispatching the broadcast transaction to a plurality of command queues if each of the plurality of the command queues is not full, as recited in amended claim 1.

Because Bannister fails to disclose all limitations of amended claim 1, Applicants respectfully submit that amended claim 1 is not anticipated by Bannister under 35 U.S.C. § 102(e).

Because amended claims 4 and 7 contain at least the discussed limitations, Applicants respectfully submit that claims 4 and 7 are not anticipated by Bannister under 35 U.S.C. § 102(e).

Given that claims 2-3, 5-6, and 8-9 depend from amended claims 1, 4, and 7 respectively, Applicants respectfully submit that claims 2-3, 5-6, and 8-9 are not anticipated by Bannister under 35 U.S.C. § 102(e).

REJECTIONS UNDER 35 U.S.C. § 103

Claims 3, 6 and 9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bannister, in view of U.S. Patent No. 5,887,194 of Carson, et al. (“Carson”).

As set forth above, Bannister discloses sending the data packet to a local interconnect, to a recirculation queue, or discarding the data packet in response to a recirculation queue full signal, output queue empty signal, and address control logic signals.

Carson discloses locking a slave device on a bus by a master device. More specifically, Carson discloses queueing master devices to access resources through the bus (col. 11, lines 25-37).

In contrast, claim 1 as amended includes dispatching the broadcast transaction to a plurality of command queues if each of the plurality of the command queues is not full.

It is respectfully submitted that Bannister does not teach or suggest a combination with Carson, and Carson does not teach or suggest a combination with Bannister. It would be impermissible hindsight based on Applicants’ own disclosure, to combine Bannister and Carson.

Furthermore, even if Bannister and Carson were combined, such a combination would lack the following limitations of amended claim 1: dispatching the broadcast transaction to a plurality of command queues if each of the plurality of the command queues is not full.

Therefore, it is respectfully submitted that amended claim 1 is not obvious under 35 U.S.C. § 103(a) over Bannister in view of Carson.

Given that amended claims 4 and 7 contain at least the discussed limitations, Applicants respectfully submit that amended claims 4 and 7 are not obvious under 35 U.S.C. § 103(a) over Bannister in view of Carson.

Given that claims 2-3, 5-6, and 8-9 depend from amended claims 1, 4, and 7 respectively, Applicants respectfully submit that amended claims 2-3, 5-6, and 8-9 are not obvious under 35 U.S.C. § 103(a) over Bannister in view of Carson.

CONCLUSION

It is respectfully submitted that in view of the amendments and arguments set forth herein, the applicable rejections and objections have been overcome. If there are any additional charges, please charge Deposit Account No. 02-2666 for any fee deficiency that may be due.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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By: 
Michael J. Mallie
Reg. No. 36,591

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025
(408) 720-8300